

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DEREK JON PHILLIPS,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security.

Defendant.

Civ. No. 3:16-cv-01858-CL

ORDER

MCSHANE, Judge:

Magistrate Judge Mark Clarke filed a Findings and Recommendation (#23), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although neither party filed objections, I reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9<sup>th</sup> Cir. 1998). I find no error and conclude the report is correct. Magistrate Judge Clarke's Findings and Recommendation (#23) is adopted. The Commissioner's decision is AFFIRMED.

IT IS SO ORDERED.

DATED this 24th day of May, 2018.

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/s/ Michael J. McShane  
Michael McShane  
United States District Judge